



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640 ♦ 989.837.3300 * 989.837.2717 Fax ♦ www.cityofmidlandmi.gov

REGULAR MEETING OF THE MIDLAND CITY COUNCIL
City Hall, 333 W. Ellsworth Street

March 23, 2015

7:00 p.m.

AGENDA

CALL TO ORDER - [Maureen Donker, Mayor](#)

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL - Thomas W. Adams
Steve Arnosky
Diane Brown Wilhelm
Maureen Donker
Marty A. Wazbinski

CONSIDERATION OF ADOPTING CONSENT AGENDA ITEMS:

All resolutions marked with an asterisk are considered to be routine and will be enacted by one motion. There will be no separate consideration of these items unless a Council member or citizen so requests during the discussion stage of the "Motion to adopt the Consent Agenda as indicated". If there is even a single request the item will be removed from the consent agenda without further motion and considered in its listed sequence in regular fashion.

APPROVAL OF MINUTES:

1. [* Approve minutes of the March 9 regular and March 11 and 18 special City Council meetings. TISDALE](#)

PROCLAMATIONS, AWARDS, RECOGNITIONS, PRESENTATIONS:

2. [Arbor Day - April 24. MURPHY](#)

PUBLIC HEARINGS:

3. [Grant application to the 2015 Michigan Department of Natural Resources Trust Fund Grant program for Emerson Park pump house and riverfront renovations \(also see material sent in the March 9 agenda packet\). MURPHY](#)

PUBLIC COMMENTS, IF ANY, BEFORE CITY COUNCIL. (Please sign up with City Clerk before meeting). This is an opportunity for people to address the City Council on issues that are relevant to Council business but are not on the agenda.

ORDINANCE AMENDMENTS:

RESOLUTIONS:

4. [Accepting the City Engineer's report regarding assessment cost options for the 2015 Sidewalk Improvement Program. MCMANUS](#)
5. [* Approving the request of the Midland Downtown Business Association to conduct a Tapped - Downtown Midland's Craft Beer Festival on Saturday, June 20. MCMANUS](#)
6. [* Accepting the resignation of William Doug Thompson from the Downtown Development Authority and the Local Officers Compensation Commission. TISDALE](#)
7. [* Considering reappointments of incumbents to boards and commissions and establishing a timeline for filling remaining vacancies. RICHART](#)
8. [* Referring request to vacate Sauve Street to the Planning Commission, the City Engineer, and other city departments for their report and recommendation. KAYE](#)

Considering purchases and contracts:

9. [* Payment to Andrew Reed & Associates, Inc. for contracted appraisal services relating to the City's defense in the Max Era, Inc. tax appeal to the Michigan Tax Tribunal. BRANSON](#)
10. [* Payment to Braun, Kendrick, Finkbeiner, P.L.C. for contracted legal services relating to the City's defense in the Larkin Charter Township complaint filed with the 42nd Circuit Court for the County of Midland. BRANSON](#)
11. [* Two Domestic Water Boilers and two Tanks - Riverside Place. KAYE](#)
12. [* 2015 E. Wackerly Street Resurfacing; Contract No. 3. MCMANUS](#)
13. [* Park Mowing Services. MURPHY](#)
14. [* E10 Ethanol Blend Unleaded Fuel purchase from March 3. \(4/5 vote required\). MURPHY](#)
15. [* Park Pavilion Roof replacements. MURPHY](#)

Setting a public hearing:

NEW BUSINESS:

TO CONTACT THE CITY WITH QUESTIONS OR FOR ADDITIONAL INFORMATION:

Citizen Comment Line:	837-3400
City of Midland website address:	www.cityofmidlandmi.gov
City of Midland email address:	cityhall@midland-mi.org
Government Information Center:	located near the reference desk at the Grace A. Dow Memorial Library

Attached documents for item Maureen Donker, Mayor

Attached documents for item * Approve minutes of the March 9 regular and March 11 and 18 special City Council meetings. TISDALE

March 9, 2015

A regular meeting of the City Council was held on Monday, March 9, 2015, at 7:00 p.m. in the Council Chambers of City Hall. Mayor Donker presided. The Pledge of Allegiance to the Flag was recited in unison.

Councilmen present: Thomas Adams, Steve Arnosky, Diane Brown Wilhelm, Maureen Donker

Councilmen absent: Marty Wazbinski

MINUTES

Approval of the minutes of the February 23, 2015 regular and March 2, 2015 special meetings was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky. (Motion ADOPTED.)

URBAN COOPERATION ACT AGREEMENT FIRST AMENDMENT – HOMER TWP

Utilities Director Noel Bush presented information on an amendment to the Urban Cooperation Act Agreement between the City of Midland and the Township of Homer. A public hearing opened at 7:10 p.m., recognizing no public comments, the hearing closed at 7:10 p.m. The following resolution was then offered by Councilman Adams and seconded by Councilman Arnosky:

WHEREAS, the City of Midland desires to amend the Urban Cooperation Act Agreement between the City of Midland and the Township of Homer dated January 4, 1995 in order to extend the expiration date to December 31 of the year of the twentieth (20th) payment of shared revenue generated from the last remaining parcel annexed to the City within the Midland Urban Growth Area; and

WHEREAS, the Urban Cooperation Act (Public Act 7 of the Public Acts of the State of Michigan of 1967 (Ex Sess)) requires that a public hearing be held prior to approval of an agreement that provides for the sharing of revenue between the parties; now therefore

RESOLVED, that the First Amendment to the Urban Cooperation Act Agreement between the City of Midland and the Township of Homer is hereby approved, and authorization is given to the Mayor and City Clerk to execute the amendment to extend the expiration date of the agreement to December 31 of the year of the twentieth (20th) payment of shared revenue generated from the last remaining parcel annexed to the City within the Midland Urban Growth Area. (Motion ADOPTED.)

PUBLIC COMMENTS

No public comments were made.

RESIDENTIAL STREET SNOW PLOWING REPORT

Director of Public Services Karen Murphy presented a staff report on residential street snow plowing. The following resolution was then offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

RESOLVED, that the City Council hereby receives and files the staff report on snow removal on residential streets. (Motion ADOPTED.)

ANNUAL REVIEW OF LIQUOR LICENSE REPORT

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

UNAPPROVED

WHEREAS, Section 15-250 of the City of Midland Code of Ordinances directs the City Manager to cause an annual review of each liquor licensee to be submitted to the City Council; and WHEREAS, said annual review has been prepared and reports that all licensees have complied with the provisions of Article VII of Chapter 15 of the Code of Ordinances; now therefore RESOLVED, that in accord with Section 15-250 of the City of Midland Code of Ordinances, the annual review of liquor licenses is hereby received and ordered placed on file in the Office of the City Clerk. (Motion ADOPTED.)

2015 SIDEWALK IMPROVEMENT PROGRAM

City Engineer Brian McManus presented information on the 2015 Sidewalk Improvement Program and a resolution directing the City Manager to prepare a report on said program. Craig Elford, 3719 Aspin Way and Brent Wallace, 3712 Aspin Way, spoke in favor of the Dublin Avenue sidewalks. Eugene Moore, 5600 Woodview Pass, spoke regarding the need for sidewalks to be cleared during the winter.

Councilman Arnosky moved, seconded by Councilman Brown Wilhelm the original resolution for consideration. Councilman Adams moved seconded by Councilman Brown Wilhelm, to remove the language "to south of Pinehaven Circle" from the Foster Road (east side) proposal to reflect the Council's intention that only sidewalks on Foster Road (east side) north of Pinehaven Circle be included on the 2015 Sidewalk Improvement Program. (Motion passed 4/0) The following amended resolution was then offered by Councilman Arnosky and seconded by Councilman Brown Wilhelm:

WHEREAS, the City Council has had under consideration the construction of concrete sidewalks, to be financed in part by special assessment, located in certain streets in the City of Midland, said streets being:

Dublin Avenue (west side)	from Plumtree Lane to Saginaw Road
Foster Road (east side)	from North of Pinehaven Circle

; now therefore

RESOLVED, that the City Manager is directed to prepare a report which shall include estimates of the expense thereof, an estimate of the life of the improvement, and a description of the district benefited to enable the Council to decide the cost, extent and necessity of the improvement proposed and what part or portion thereof should be paid by special assessments upon property especially benefited, and what part, if any, should be paid by the City at large, in conformance with the provisions of Chapter 20 of the Code of Ordinances of the City of Midland, Michigan. (Motion ADOPTED.)

TRAFFIC CONTROL ORDER NO. S-14-01

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

RESOLVED, that Traffic Control Order No. S-14-01 filed December 22, 2014 pursuant to Chapter 24 of the Code of Ordinances to establish traffic control as follows:

That West Campbell Court and East Campbell Court shall STOP for Dartmouth Street is hereby made permanent. (Motion ADOPTED.)

TRAFFIC CONTROL ORDER NO. S-14-02

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

RESOLVED, that Traffic Control Order No. S-14-02 filed December 22, 2014 pursuant to Chapter 24 of the Code of Ordinances to establish traffic control as follows:

That West Livingston Court and East Livingston Court shall STOP for Dartmouth Street is hereby made permanent. (Motion ADOPTED.)

UNAPPROVED

TRAFFIC CONTROL ORDER NO. S-14-03

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

RESOLVED, that Traffic Control Order No. S-14-03 filed December 22, 2014 pursuant to Chapter 24 of the Code of Ordinances to establish traffic control as follows:

That Jones Court shall YIELD to Dartmouth Street
is hereby made permanent. (Motion ADOPTED.)

TRAFFIC CONTROL ORDER NO. S-14-04

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

RESOLVED, that Traffic Control Order No. S-14-04 filed December 22, 2014 pursuant to Chapter 24 of the Code of Ordinances to establish traffic control as follows:

That Koerner Court shall STOP for Dartmouth Street
is hereby made permanent. (Motion ADOPTED.)

TRAFFIC CONTROL ORDER NO. S-14-05

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

RESOLVED, that Traffic Control Order No. S-14-05 filed December 22, 2014 pursuant to Chapter 24 of the Code of Ordinances to establish traffic control as follows:

That Emerson Court shall YIELD to Walden Woods Drive
is hereby made permanent. (Motion ADOPTED.)

TRAFFIC CONTROL ORDER NO. S-14-06

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

RESOLVED, that Traffic Control Order No. S-14-06 filed December 22, 2014 pursuant to Chapter 24 of the Code of Ordinances to establish traffic control as follows:

That Stone Ridge Drive shall YIELD to Trailridge Drive
is hereby made permanent. (Motion ADOPTED.)

TRAFFIC CONTROL ORDER NO. P-14-04

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

RESOLVED, that Traffic Control Order No. P-14-04 filed December 17, 2014 pursuant to Chapter 24 of the Code of Ordinances to establish traffic control as follows:

That 3 hour parking shall be permitted in the recessed areas on both sides of Rodd Street from Larkin Street to Ellsworth Street
is hereby made permanent. (Motion ADOPTED.)

BRINK – REAPPOINTMENT TO LIBRARY BOARD

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

WHEREAS, Section 2-243 of the City Code of Ordinances defines the attendance requirements for members of Boards and Commissions; and

UNAPPROVED

WHEREAS, the position of Library Board member Maxine Brink is considered vacant due to exceeding the number of allowable absences during the 2014-2015 fiscal year; and
WHEREAS, Maxine Brink has served on the Library Board since 2004 with no previous absentee issues and would like to remain on the Board; now therefore
RESOLVED, that City Council hereby reappoints Maxine Brink to the Library Board for the remainder of her term that expires June 30, 2016. (Motion ADOPTED.)

DIESEL FUEL PURCHASE

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

WHEREAS, City Council adopted a resolution on December 17, 2007 that allows the Purchasing Agent to purchase full tankers of unleaded gasoline and diesel fuel exceeding \$20,000, and seek approval for the purchase at the next City Council meeting; and
WHEREAS, City Council reviewed the process on December 21, 2009 and decided to continue as it still provides a significant cost savings to the City; and
WHEREAS, the volatility of the fuel market does not allow for staff to follow the usual sealed bid process for purchases exceeding \$20,000; and
WHEREAS, staff instead uses a competitive bid process whereby fuel vendors fax in prices that are valid for a particular day with the bid awarded to the lowest priced vendor; now therefore
RESOLVED, that the requirements for sealed proposals for the purchase of fuel are waived due to the volatility of the fuel market; and
RESOLVED FURTHER, that the purchase of 12,258 gallons of Winter Blend diesel fuel from Tri-Lakes Petroleum of Alma, Michigan for \$25,871.73 executed by the Purchasing Agent on February 20, 2015, is hereby approved. (Motion ADOPTED.)

NORTH WALDO ROAD PUMP STATION SUBMERSIBLE PUMPS

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

WHEREAS, a project is underway to install a new pump station and sanitary sewer to serve the residential expansion on North Waldo Road, north of U.S. 10; and
WHEREAS, the pump station is designed to serve the areas east and west of Waldo Road, from U.S. 10 to East Wackerly Street; and
WHEREAS, the construction portion of the project was awarded by City Council in January, and includes the excavation and installation of gravity and force main, construction of the wet well structure, utility services, and concrete pads for electrical control enclosures; and
WHEREAS, the purchase of necessary pumps for the pump station are bid separately, with the installations to be provided in-house by Utilities staff; and
WHEREAS, sealed bids for Bid No. 3687, Submersible Pumps and Accessories, have been advertised and received in accord with Section 2-18 of the Midland Code of Ordinances; and
WHEREAS, the lone bid received from Kennedy Industries, Inc. of Milford for (3) Flygt NP-3153 submersible pumps, in the amount of \$46,170.00, meets City specifications; now therefore
RESOLVED, that a purchase order to Kennedy Industries, Inc. in the amount of \$46,170.00 for the supply of three submersible pumps, to be installed by Utilities staff in the new Wastewater Pump Station, is hereby authorized. (Motion ADOPTED.)

DNR TRUST FUND GRANT APPLICATION – EMERSON RIVERFRONT RENOVATIONS

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

RESOLVED, that in accord with Section 11.6 of the Charter of the City of Midland, a public hearing shall be conducted at 7:00 p.m., March 23, 2015 in the Council Chambers of City Hall

UNAPPROVED

on a grant application to the Michigan Natural Resources Trust Fund for \$300,000 to support a riverfront renovation project in upper Emerson Park. (Motion ADOPTED.)

PROPOSED 2015-16 CDBG BUDGET

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

WHEREAS, the City of Midland is expected to receive \$233,381 in Community Development Block Grant (CDBG) funds for fiscal year 2015-16; and

WHEREAS, it is expected that the City will have a fund balance of \$80,000 that will be carried over from prior fiscal years; and

WHEREAS, it is expected that the City will have a total of \$5,000 in program income that will be carried over from the current fiscal year; and

WHEREAS, on March 2, 2015, the Housing Commission unanimously recommended approval of the proposed CDBG budget; and

WHEREAS, it is necessary to provide an opportunity for public input on the proposed expenditure of said funds; now therefore

RESOLVED, that a public hearing will be held on April 27, 2015, for the purpose of receiving public input on the use of federal funds from the Community Development Block Grant program, as set forth in the attached table (Attachment A). (Motion ADOPTED.)

Being no further business the meeting adjourned at 8:00 p.m.

Selina Tisdale, City Clerk

UNAPPROVED

March 11, 2015

A special meeting of the City Council was held Wednesday, March 11, 2015, at 6:30 p.m. at the Currie Golf Course Clubhouse. Mayor Donker presided.

Councilmen present: Thomas Adams, Steve Arnosky, Diane Brown Wilhelm, Maureen Donker, Marty Wazbinski

Councilmen absent: None

CITIZENS ACADEMY

City Council held a discussion with the participants of the 2015 Citizens Academy.

Being no further business the meeting adjourned at 8:20 p.m.

Selina Tisdale, City Clerk

March 18, 2015

A special meeting of the City Council was held Wednesday, March 18, 2015, at 6:30 p.m. in the Council Chambers in City Hall. Mayor Donker presided.

Councilmen present: Thomas Adams, Steve Arnosky, Diane Brown Wilhelm, Maureen Donker, Marty Wazbinski,

Councilmen absent: None

CITIZENS ACADEMY

City Council held a discussion with the participants of the 2015 Citizens Academy.

Being no further business the meeting adjourned at 8:00 p.m.

Selina Tisdale, City Clerk

Attached documents for item Arbor Day - April 24. MURPHY

SUMMARY REPORT TO MANAGER

For City Council Meeting of March 23, 2015

SUBJECT: Proclamation of the last Friday in April as Arbor Day

INITIATED BY: Department of Public Services

RESOLUTION SUMMARY: This resolution authorizes the Mayor to issue a proclamation designating April 24, 2015 as Arbor Day in Midland.

ITEMS ATTACHED:

1. Letter of Transmittal
2. Resolution
3. Proclamation

CITY COUNCIL ACTION:

1. 3/5 vote required to approve resolution

Karen Murphy
Public Services Director



Parks & Recreation ♦ 4811 North Saginaw Road ♦ Midland, Michigan 48640-2321 ♦ 989.837.6900 ♦ 989.835.5651 -Fax ♦ www.cityofmidlandmi.gov

March 13, 2015

TO: Jon Lynch, City Manager

FROM: Karen Murphy, Public Services Director

SUBJECT: Arbor Day Proclamation

In conjunction with the City's recognition as a "Tree City USA," Midland annually observes Arbor Day on the last Friday in April. This year, Arbor Day will be recognized with a tree planting event in a City park provided by City staff in cooperation with the Dow Gardens and students from local elementary schools.

As we ready for our observance in 2015, we respectfully request that the City Council declare April 24, 2015 as Arbor Day in Midland.

Respectfully,

Karen Murphy
Director of Public Services



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BY COUNCILMAN

RESOLVED, that the Mayor is authorized to issue the attached proclamation designating Friday, April 24, 2015, as Arbor Day in the City of Midland.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, March 23, 2015.

Selina Tisdale, City Clerk



PROCLAMATION

WHEREAS, the last Friday in April of each year is established as Arbor Day; and

WHEREAS, trees are an increasingly vital resource in Michigan which control erosion of soil by wind and water, enhance recreational settings, provide habitat for wildlife, and cool and shade our city; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas and beautify our landscape; and

WHEREAS, City staff will celebrate Arbor Day with a tree planting event in conjunction with a local service group; now

THEREFORE, we, the Mayor and the City Council of the City of Midland, Michigan, do hereby proclaim April 24, 2015, as

ARBOR DAY

in the City of Midland and encourage the citizens of Midland to celebrate Arbor Day and to support efforts to protect our trees and woodlands for future generations.

Issued by Council Authorization
Given Monday, March 23, 2015.

Maureen Donker, Mayor

Attest:

Selina Tisdale, City Clerk

Attached documents for item Grant application to the 2015 Michigan Department of Natural Resources Trust Fund Grant program for Emerson Park pump house and riverfront renovations (also see material sent in the March 9 agenda packet). MURPHY

SUMMARY REPORT TO MANAGER

For City Council Meeting of March 23, 2015

SUBJECT: Support of a grant application to the Michigan Natural Resources Trust Fund for a riverfront renovation project in upper Emerson Park

INITIATED BY: Department of Public Services

RESOLUTION SUMMARY: This resolution authorizes a grant application to be submitted to the Michigan Natural Resources Trust Fund for \$300,000 to support the upper Emerson riverfront redevelopment project.

ITEMS ATTACHED:

1. Letter of Transmittal
2. Resolution

CITY COUNCIL ACTION:

1. 3/5 vote required to approve resolution.

Karen Murphy
Director of Public Services



March 17, 2015

Jon Lynch
City Manager
Midland, MI

RE: Support of a grant application to the Michigan Natural Resources Trust Fund
for a riverfront renovation project in upper Emerson Park

The recently adopted Parks and Recreation Master Plan for 2015-2019 contains the following goal and objectives:

Goal: To strengthen recreation opportunities which take advantage of Midland's water resources such as the Tittabawassee and Chippewa Rivers.

Objectives:

- a. To support the development of water trails along the Tittabawassee and Chippewa Rivers.
- b. To encourage the redevelopment of naturalized riverfronts through the removal of invasive species, the planting of native species and the reestablishment of natural banks.
- c. To increase public access to the river through land acquisition and facility development for fishing, canoe, kayak and boat access, wildlife viewing and overall all river bank access.
- d. To develop opportunities, alone or in partnership with other agencies, to educate citizens about the area's natural resources.

Parks staff have been working with landscape architect Pam Blough on a proposed project to renovate the riverfront along upper Emerson Park that would satisfy all of the objectives outlined above. The proposed project involves the following:

- Repurposing the old pump house into a river viewing platform with interpretive signage explaining the original purpose of the pump house as it related to the City's drinking water supply and the importance of river water quality.
- Removal of a portion of the existing Emerson Park roadway with the addition of a defined parking area, including an accessible path from the parking area to the river platform.
- Addition of an accessible fishing dock and a section of boardwalk along the river bank that would include a floating dock for boaters to access the site.
- Replacement of the existing hand rail system along the seawall with the addition of seating and picnic tables.
- Two pathways to connect the site to the Pere Marquette Rail Trail.

Jon Lynch
March 23, 2015
Page 2



The total project cost is estimated at \$670,000, and the project is set up so that construction can occur in phases as funding is secured. The funding plan includes seeking outside grants to support the majority of the project. The City applied for a Michigan Natural Resources Trust Fund (MNRTF) grant in 2014 but was unsuccessful in receiving an award. The MNRTF grant request totaled \$405,000 (\$300,000 from MNRTF and \$105,000 in matching funds), which would allow for completion of phase 1 and portions of phase 2 of the total project. My staff and I feel very strongly that this project has great value to the community and fits very well within the guidelines of the MNRTF program, so I would like to reapply for the grant this year.

The grant application guidelines require the following criteria be met:

1. A minimum 25% local match be secured
2. A motion of support be rendered by the local Parks and Recreation Commission
3. A public hearing be conducted to receive public input regarding the proposed project
4. City Council pass a formal resolution of support for the project

I have received verification from the organizations that provided matching funds in 2014 that they are willing to extend the timeline for the match so that the City can reapply for the MNRTF grant this year. These matching funds include \$35,000 from the Saginaw Bay Watershed Initiative Network, \$40,000 from the Midland Area Community Foundation and \$5,000 from the Friends of the Pere Marquette Rail Trail.

Jon Lynch
March 23, 2015
Page 3

In addition, the FY14/15 Parks Capital budget contains a request for \$25,000 in City funds to be allocated toward the grant match as well, which completes the 25% match requirement.

The Parks and Recreation Commission unanimously supported applying again in 2015 for the grant at their March 3 meeting, and City Council set a public hearing for March 23 to accept public comment on the project as well. I would ask that after receiving public comment, the City Council would approve the attached resolution of support for the 2015 grant application to the MNRTF.

Respectfully submitted,

Karen Murphy
Director of Public Services



Midland

Parks and Recreation ♦ 4811 North Saginaw Road ♦ Midland, Michigan 48640 ♦ 989.837.6930 ♦ 989.835.5651 Fax ♦ www.cityofmidlandmi.gov

BY COUNCILMAN

WHEREAS, in accord with Sections 5.11, 11.4, and 11.6 of the Charter of the City of Midland, and after having given proper legal notice, and having conducted a public hearing on Monday, March 23, 2015, on the proposal to submit a grant application to the Michigan Natural Resources Trust Fund for \$300,000 to support a riverfront renovation project in upper Emerson Park; and

WHEREAS, Parks and Recreation staff have secured adequate local matching funds to support the grant application, which consists of grants from the Saginaw Bay Watershed Initiative (\$35,000), the Friends of the Pere Marquette Rail Trail (\$5,000), and the Midland Area Community Foundation (\$40,000), along with \$25,000 in the FY2014/15 Parks Capital budget designated for the project; and

WHEREAS, the Parks and Recreation Commission voted unanimously at their March 3 meeting recommending support of the grant application and the future project; now therefore

RESOLVED, that the City Council hereby supports the grant application to the Michigan Natural Resources Trust Fund for \$300,000, with the aforementioned local match amount of \$105,000 (25%) of the total \$405,000 project cost reserved specifically for use toward the project during the FY2015/16 year.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, March 23, 2015.

Selina Tisdale, City Clerk

3-9-15
Set PH for
3-23-15

(10)

SUMMARY REPORT TO MANAGER

For City Council Meeting of March 9, 2015

SUBJECT: Set public hearing for review of Emerson riverfront grant application to the Michigan Natural Resources Trust Fund

INITIATED BY: Department of Public Services

RESOLUTION SUMMARY: This resolution sets a public hearing for March 23, 2015 at 7:00 p.m. in City Council Chambers to review a grant request to the Michigan Natural Resources Trust Fund for \$300,000 toward a project to renovate the riverfront along upper Emerson Park.

ITEMS ATTACHED:

1. Letter of Transmittal
2. Project Plans
3. Resolution

CITY COUNCIL ACTION:

1. 3/5 vote required to approve resolution.


Karen Murphy
Director of Public Services



Parks & Recreation • 4811 North Saginaw Road • Midland, Michigan 48640-2321 • 989.837.6900 • 989.835.5651 -Fax • www.cityofmidlandmi.gov

March 2, 2015

Jon Lynch
City Manager
Midland, MI

RE: Set a public hearing for review of the Emerson riverfront grant application to the Michigan Natural Resources Trust Fund

In 2014, the City's Parks Department applied to the Michigan Natural Resources Trust Fund (MNRTF) for a grant to renovate the 1938 water intake pump house that is located to the south of Emerson Park, along with some additional renovations to the riverfront area. Unfortunately, the City was not successful in receiving the grant. The Parks staff and I feel very strongly that this project will be a great asset to the community, and that it fits very well within the guidelines of the MNRTF program. Therefore, we would like to reapply for the grant this year.

The scope of the project will remain unchanged, with \$300,000 requested through the MNRTF program. Both the Midland Area Community Foundation and the Saginaw Bay Watershed Initiative have indicated that their organizations can extend the terms of the matching funds pledged to the City to cover the 2015 grant cycle. Even though we are reapplying for the same project, the grant application requires a new public hearing be held locally to allow residents and neighbors to voice opinions on the proposed project, and a new resolution be offered by City Council supporting the application.

The resolution before Council tonight sets the public hearing for March 23, 2015 at 7:00 p.m. in the Council Chambers to receive public input on the project. I will review the conceptual plan and additional details on the project at that time.

Respectfully Submitted,

Karen Murphy
Director of Public Services

PMB
PMB Group, Inc.
1540 GLADYS AVE
CROMWELL, MI 48117
616.982.2010

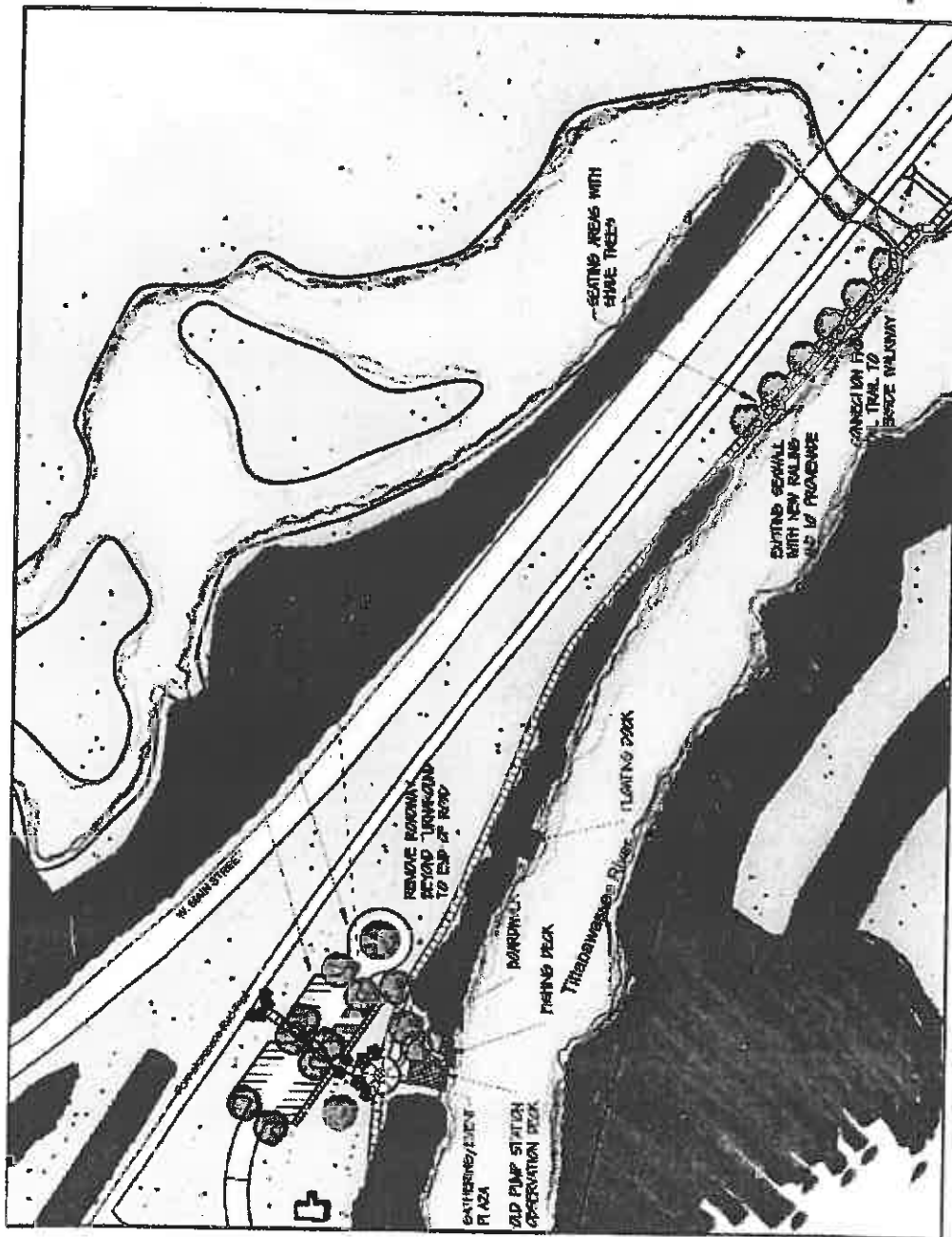
FEBRUARY 28, 2013

0' 50' 100'



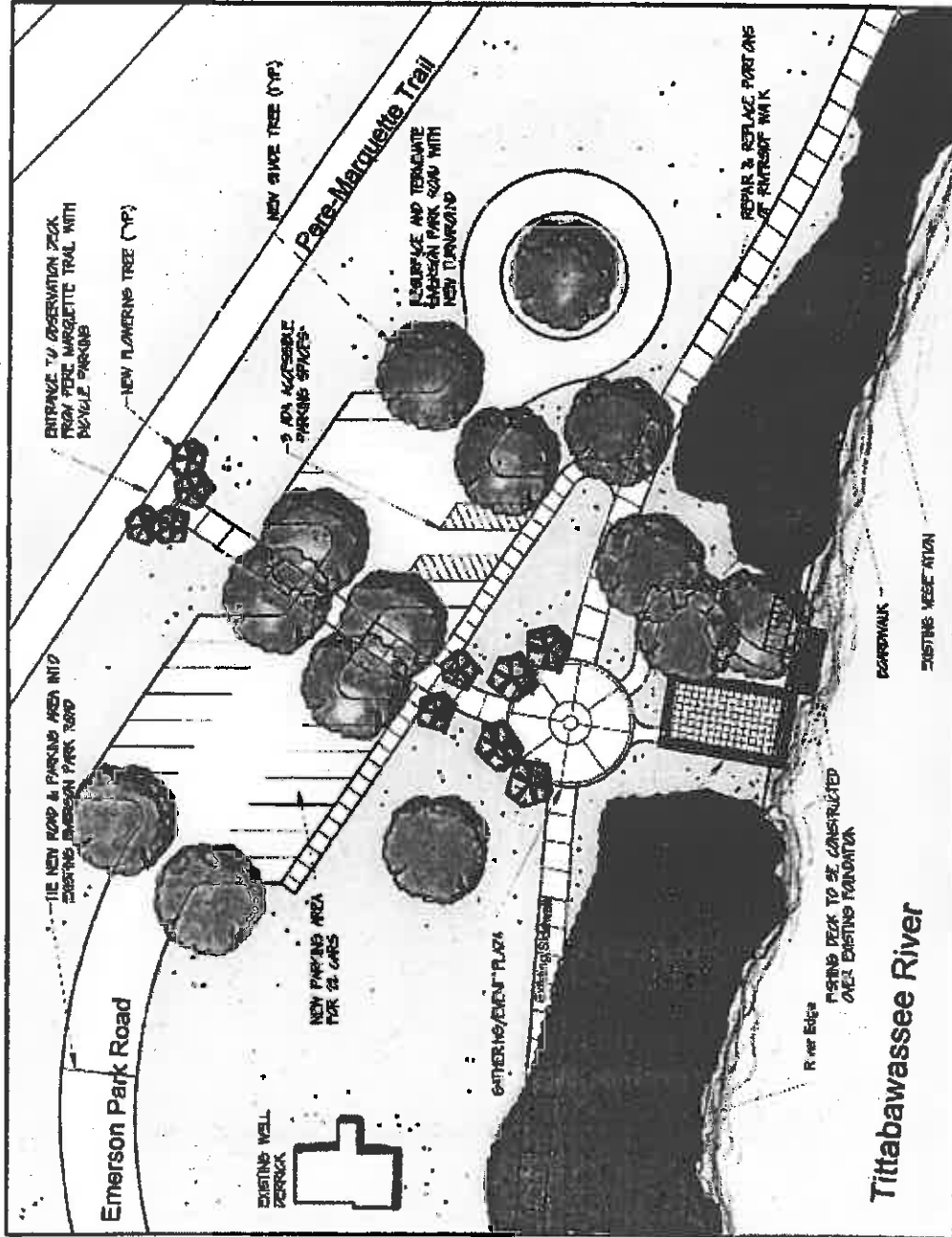
EMERSON PUMP STATION MASTER PLAN

EMERSON PARK
MIDLAND, MI



Site Plan

PMB
 1942 GLADYS AVE.
 GRAND HAVEN, MI 48417
 616.847.2010
 FEBRUARY 28, 2013



EMERSON PUMP STATION MASTER PLAN

EMERSON PARK
 MIDLAND, MI

Detail Site Plan



Parks & Recreation • 4811 North Saginaw Road • Midland, Michigan 48640-2321 • 989.837.6900 • 989.835.5651 -Fax • www.cityofmidlandmi.gov

BY COUNCILMAN

RESOLVED, that in accord with Section 11.6 of the Charter of the City of Midland, a public hearing shall be conducted at 7:00 p.m., March 23, 2015 in the Council Chambers of City Hall on a grant application to the Michigan Natural Resources Trust Fund for \$300,000 to support a riverfront renovation project in upper Emerson Park.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, March 9, 2015.

Selina Tisdale, City Clerk

Attached documents for item Accepting the City Engineer's report regarding assessment cost options for the 2015 Sidewalk Improvement Program. MCMANUS

SUMMARY REPORT TO THE CITY MANAGER

for Council Meeting of March 23, 2015

SUBJECT: 2015 Sidewalk Improvement Program – Assessment Cost Options

INITIATED BY: City Council

RESOLUTION SUMMARY: This resolution receives and files a report regarding assessment cost options for the 2015 Sidewalk Improvement Program

ITEMS ATTACHED: 1. Cover Letter with Exhibit 1
2. Resolution

CITY COUNCIL ACTION: 3/5 vote required to approve resolution

SUBMITTED BY: Brian McManus, City Engineer



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax

DATE: March 16, 2015

TO: Jon Lynch, City Manager

FROM: Brian McManus, City Engineer

RE: 2015 Sidewalk Improvement Program

At the March 9 City Council meeting, while discussing the potential list of sidewalk locations for the upcoming sidewalk improvement program, alternate payment options to alleviate property owner cost concerns were discussed. City Council requested that the two options below be further developed to determine actual cost relief to the concerned property owners.

Option 1 - Normal Special Assessment Process with Extended Term of Tax Roll

This option would follow the standard process until the hearing on the special assessment roll. The abutting property owners would pay 100% of the cost of a four-foot wide sidewalk based on their property frontage along Dublin. The standard term of a special assessment roll is 5 years and interest rates are about 1.5%.

Option 1 would reduce annual payments by extending the period of payback beyond the standard 5 years as specified by the Code of Ordinances. Table 1 below indicates the difference in payment between payback terms of 5 years and 10 years using a parcel with 100 feet of assessable frontage.

Should Council elect to implement the option to extend the term of the assessment to greater than 5 years then that could simply take place at the public Hearing on the Assessment roll.

Table 1- Term Length vs. Payment

Assessment	Term	Payment	Total
\$1700	5 years	\$355/year	\$1775
\$1700	10 years	\$183/year	\$1830

Option 2 - Capped Assessment

Under this concept we could review the Dublin properties involved, parcel by parcel, and cap the assessment of those parcels by equating to an average parcel size of properties in surrounding subdivisions. The affected property owners on Dublin have higher average frontage lengths as compared to developed subdivisions and the cap would equalize the overall district.

The average parcel width in nearby subdivisions is approximately 100 feet. The parcel widths along Dublin range from 66 feet to 334 feet. Under this option the potential cost structure would shift to a higher city cost and less assessment for some property owners, especially the larger parcel owners.

Exhibit 1 compares the difference in cost between the standard assessment process and capped assessment by property address. Total property owner assessments are reduced from \$43,732.50 under the standard process to \$26,061 under the capped option. The largest parcel in this district has a frontage of 334 feet and the assessment for this parcel is reduced from \$5,675 to \$1,700. This option would reduce the property owners' assessment by 40% in total.

Should Council elect to implement the capped assessment option then the assessment number would be adjusted for the Manager's Report on April 13 and would be the cost numbers presented at the Hearing of Necessity on May 11.

City Council was also interested in an option to recover the extra costs absorbed by the City under the capped assessment option. We propose that the recovery of costs be tied to the lot split process since the basis of capping the sidewalk assessments is indexed to a benefit received by a particular parcel based on size. It would be implemented in such a way that when a lot split takes place a recalculated benefit would be applied to the new parcel configurations.

Under the current lot split process our Planning Department checks for outstanding assessments as part of their review and therefore it is a natural fit for tracking capped sidewalk parcels on Dublin Avenue as well. The City Assessor would draft the language related to this recovery process to be included with the standard resolutions provided at the public Hearing of Necessity.

A final decision by City Council on March 23, 2015, with regard to an alternate payment option for assessments, would allow us to remain on schedule for the 2015 Sidewalk Improvement Program. The attached resolution receives and files this report.

EXHIBIT 1
DUBLIN AVENUE CAPPED ASSESSMENT OPTION FOR SIDEWALK

Address	Total Frontage (ft.)	Standard Special Assessment Process			Capped Assessment Front Foot (100 ft. cap)			
		Owner Assess. Frontage (ft.)	Assessment Rate (\$/ft)	Owner Cost - Standard Special Assessment	Owner Frontage (ft.)	City Frontage (ft.)	Owner Cost - Capped Assessment	City Cost - Capped Assessment
5011 N Saginaw	207	207	17	\$ 3,519.00	100	107	\$ 1,700.00	\$ 1,819.00
5201 Hawks Nest	135	20	17	\$ 340.00	20	0	\$ 340.00	\$ -
4415 Dublin	82	82	17	\$ 1,394.00	82	0	\$ 1,394.00	\$ -
4411 Dublin	165	165	17	\$ 2,805.00	100	65	\$ 1,700.00	\$ 1,105.00
4370 Dublin	82.5	82.5	17	\$ 1,402.50	82.5	0	\$ 1,402.50	\$ -
4317 Dublin	82.5	82.5	17	\$ 1,402.50	82.5	0	\$ 1,402.50	\$ -
4313 Dublin	165	165	17	\$ 2,805.00	100	65	\$ 1,700.00	\$ 1,105.00
4215 Dublin	247.5	247.5	17	\$ 4,207.50	100	147.5	\$ 1,700.00	\$ 2,507.50
4207 Dublin	66	66	17	\$ 1,122.00	66	0	\$ 1,122.00	\$ -
4203 Dublin	102.5	102.5	17	\$ 1,742.50	100	2.5	\$ 1,700.00	\$ 42.50
4121 Dublin	145	145	17	\$ 2,465.00	100	45	\$ 1,700.00	\$ 765.00
4107 Dublin	115	115	17	\$ 1,955.00	100	15	\$ 1,700.00	\$ 255.00
4025 Dublin	164.7	164.7	17	\$ 2,799.90	100	64.7	\$ 1,700.00	\$ 1,099.90
4005 Dublin	297	297	17	\$ 5,049.00	100	197	\$ 1,700.00	\$ 3,349.00
5205 Countryside	180	180	17	\$ 3,060.00	100	80	\$ 1,700.00	\$ 1,360.00
3907 Dublin	117	117	17	\$ 1,989.00	100	17	\$ 1,700.00	\$ 289.00
3707 Dublin	333.8	333.8	17	\$ 5,674.60	100	233.8	\$ 1,700.00	\$ 3,974.60
Total	2687.5	2572.5		\$ 43,732.50	1533	1039.5	\$ 26,061.00	\$ 17,671.50

Owner Assessment \$ 43,732.50

City Assessment \$ -

Total \$ 43,732.50

Owner Assessment \$ 26,061.00

City Assessment \$ 17,671.50

Total \$ 43,732.50



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BY COUNCILMAN

WHEREAS, at the March 9, 2015 meeting City Council requested that staff develop alternate methods that would provide cost relief to property owners along Dublin Avenue who are facing a sidewalk assessment; and

WHEREAS, the City Engineer provided a report at the March 23, 2015 meeting with two cost relief options including extending the term of the assessment and capping assessments based on frontage for City Council consideration; and

WHEREAS, the City Engineer's report has also indicated a method for future recovery of sidewalk costs based on benefit received should capped parcels be later split; now therefore

RESOLVED, that the City Council hereby receives and files said report by the City Engineer related to alternate methods of cost relief for residents on Dublin Avenue.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, March 23, 2015.

Selina Tisdale, City Clerk

Attached documents for item * Approving the request of the Midland Downtown Business Association to conduct a Tapped - Downtown Midland's Craft Beer Festival on Saturday, June 20. MCMANUS

SUMMARY REPORT TO CITY MANAGER
for City Council Meeting of March 23, 2015

SUBJECT: TAPPED – DOWNTOWN MIDLAND’S CRAFT BEER FESTIVAL,
JUNE 20, 2015

INITIATED BY: City of Midland Engineering Department

RESOLUTION SUMMARY:

The attached resolution approves the request of the Midland Downtown Business Association to conduct Tapped – Downtown Midland’s Craft Beer Festival on Saturday, June 20, 2015.

ITEMS ATTACHED:

1. Letter of transmittal
2. Letter of request
3. Resolution

CITY COUNCIL ACTION:

3/5 vote required to approve resolution

SUBMITTED BY: Brian McManus, City Engineer



Midland

City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax

March 17, 2015

Jon Lynch, City Manager
City of Midland
Midland, MI 48640

Dear Mr. Lynch:

Attached please find a request from the Midland Downtown Business Association seeking permission to conduct Tapped – Downtown Midland’s Craft Beer Festival on Saturday, June 20, 2015, utilizing the public right-of-way and amplified sound. The Administrative Staff has reviewed the request and recommends approval subject to the following conditions:

- The responsible party and contact number for the event date is Denise Hufford, 837-3311.
- The MDBA certificate of liability insurance previously submitted is effective from September 15, 2013 to September 15, 2016 and is on file. Also provide proof of the appropriate liquor license from the Auburn Jaycees, as well as a certificate of insurance from them evidencing adequate liquor liability insurance and naming the City of Midland as Additional Insured.
- The area adjacent to any door used for egress from a building shall be kept clear of obstructions.
- A twenty foot wide fire lane on all streets involved in this event shall be maintained.
- A three foot diameter clear area and clear access from streets must be maintained around all fire hydrants, as well as all building exterior sprinkler and standpipe connections.
- Tent permits **shall** be obtained from the fire department prior to the event. Contact Fire Marshal Josh Mosher at 989-837-3413.
- Parks Department can provide the 15 trash receptacles. They can also provide 20 picnic tables. That is all they have in their rental table fleet. If more are needed, organizers will need to look outside the City for options.

- Parks Department will also provide the metal event fencing to enclose the beer festival area.
- Department of Public Services will provide barricades for the street closures per Engineering's TCO.
- The Police Department will provide patrol at the event and in the area.

Attached for your consideration is a resolution which will grant approval of the request. The resolution also grants authority to the Administrative Staff to approve future requests if conducted in substantially the same manner.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Brian McManus".

Brian P. McManus
City Engineer

BPM:pp



Downtown Midland A great place to be you.

February 19, 2105

Mr. Brian McManus
Midland City Hall
333 West Ellsworth Street
Midland, MI 48640

Re: Tapped – Downtown Midland's Craft Beer Festival 2015

Dear Mr. McManus:

The Midland Downtown Business Association (MDBA) requests permission to hold a craft beer tasting event titled *Tapped – Downtown Midland's Craft Beer Festival* on Saturday, June 20, 2015 in Downtown Midland.

The event will be held on Main Street from Ashman to Rodd Streets with a "Maker's Market" craft festival, live music, store demonstrations and a beer tasting tent.

Our formal request is as follows:

- Closure of Main Street from Ashman Street to Rodd Street and McDonald Street from Larkin to Main Street on Saturday, June 20 from 7 am - midnight.
- Traffic Control Orders for use of parking spaces on the closed streets.
- Permission to operate liquor sales within the gated area, sponsored by the Auburn Jaycees who will secure the liquor license, event insurance and provide trained staff for the sale of alcoholic beverages.
- Placement of 1-2 tents on the closed portion of Main Street.
- Use of 15 additional trash receptacles to be placed within the closed area, city barricades/fencing, and 30 picnic tables to be delivered to the beer tent area.
- Police presence during the event.
- Permission for amplified sound during the event.
- Electrical service on Main Street (to be determined closer to the event date).
- Permission to place temporary event-day signage in four locations (Ashman/Buttles, Ashman/Main, Main/M-20, Ellsworth/Cronkright). These signs would be placed only on the day of the event with the name of the event and a directional arrow pointing toward the event location.
- Assistance from the Department of Public Services' street sweeper for post-event cleanup.

The MDBA believes that this will be a fun event for the whole community. The approval of this request and the assistance of the City departments (where needed) would be greatly appreciated.

Sincerely,

Denise Hufford
Downtown Event Coordinator



Midland

City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax

BY COUNCILMAN

RESOLVED, that the request from the Midland Downtown Business Association seeking permission to conduct Tapped – Downtown Midland’s Craft Beer Festival on Saturday, June 20, 2015, utilizing the public right-of-way and amplified sound, is hereby approved subject to the following conditions:

- The responsible party and contact number for the event date is Denise Hufford, 837-3311.
- The MDBA certificate of liability insurance previously submitted is effective from September 15, 2013 to September 15, 2016 and is on file. Also provide proof of the appropriate liquor license from the Auburn Jaycees, as well as a certificate of insurance from them evidencing adequate liquor liability insurance and naming the City of Midland as Additional Insured.
- The area adjacent to any door used for egress from a building shall be kept clear of obstructions.
- A twenty foot wide fire lane on all streets involved in this event shall be maintained.
- A three foot diameter clear area and clear access from streets must be maintained around all fire hydrants, as well as all building exterior sprinkler and standpipe connections.
- Tent permits shall be obtained from the fire department prior to the event. Contact Fire Marshal Josh Mosher at 989-837-3413.
- Parks Department can provide the 15 trash receptacles. They can also provide 20 picnic tables. That is all they have in their rental table fleet. If more are needed, organizers will need to look outside the City for options.
- Parks Department will also provide the metal event fencing to enclose the beer festival area.
- Department of Public Services will provide barricades for the street closures per Engineering’s TCO.
- The Police Department will provide patrol at the event and in the area.

; and

RESOLVED FURTHER, that the Administrative Staff is hereby authorized to approve future requests for the event provided it is conducted in substantially the same manner.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, March 23, 2015.

Selina Tisdale, City Clerk

Attached documents for item * Accepting the resignation of William Doug Thompson from the Downtown Development Authority and the Local Officers Compensation Commission.

TISDALE

SUMMARY REPORT TO MANAGER
for City Council Meeting of March 23, 2015

SUBJECT: RESIGNATION OF WILLIAM DOUG THOMPSON FROM THE DOWNTOWN
DEVELOPMENT AUTHORITY AND THE LOCAL OFFICERS
COMPENSATION COMMISSION

RESOLUTION SUMMARY: This resolution accepts the resignation of William Doug Thompson from the Downtown Development Authority and the Local Officers Compensation Commission and expresses appreciation for his service on these Boards.

ITEMS ATTACHED:

1. Letter of transmittal
2. Letter of resignation
3. Resolution

COUNCIL ACTION:

3/5 vote required to approve resolution

Selina Tisdale
Director of Community Affairs



Midland

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March 18, 2015

Jon Lynch, City Manager
City of Midland
Michigan

Dear Jon:

We received a letter from William Doug Thompson, a member of the Downtown Development Authority Board and the Local Officers Compensation Commission, indicating that he is moving out of state and resigning from these Boards effective the end of March.

Attached for your consideration is a resolution accepting the resignation and expressing appreciation to Mr. Thompson for his service on the Downtown Development Authority and the Local Officers Compensation Commission.

Sincerely,

Selina Tisdale
Director of Community Affairs

SCT:pw

From: William Thompson
Sent: Wednesday, March 04, 2015 8:08 AM
To: Tisdale, Selina
Subject: My Resignation

Good Morning Selina- I have decided to move to Kentucky (to be near my family) and thus must resign from my positions on the board of directors of the Downtown Development Authority and as a commissioner on the Local Officers Compensation Commission. The resignation is effective at the end of this month. I have thoroughly enjoyed working with you and the members of both of these groups. I hope to continue my civic volunteering in Richmond, Kentucky where I have purchased a condo in a retirement community. I expect to be at the March meeting of the DDA meeting.

William D. (Doug) Thompson



Midland

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BY COUNCILMAN

RESOLVED, that the resignation of William Doug Thompson as a member of the Downtown Development Authority and the Local Officers Compensation Commission is hereby accepted and the Administration is directed to convey the Council's appreciation to Mr. Thompson for his service on these important Boards.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, March 23, 2015.

Selina Tisdale, City Clerk

T:DDAandLOCCresig-Thompson

Attached documents for item * Considering reappointments of incumbents to boards and commissions and establishing a timeline for filling remaining vacancies. RICHART

SUMMARY REPORT TO THE CITY MANAGER
for City Council Meeting of March 23, 2015

SUBJECT: BOARDS AND COMMISSIONS APPOINTMENTS

RESOLUTION SUMMARY: The attached resolution reappoints members to various boards and commissions.

ITEMS ATTACHED:

1. Letter of Transmittal
2. 2015 Appointment Process and Timeline
3. List of Boards and Commissions Members with terms expiring in 2015
4. List of outstanding Boards and Commissions vacancies
5. Resolution

COUNCIL ACTION:

3/5 vote required to approve resolution

Libby Richart
Communications Coordinator



Midland

City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.cityofmidlandmi.gov

March 18, 2015

Jon Lynch, City Manager
City of Midland
Michigan

Dear Jon:

More than 70 City of Midland residents serve on the 13 City Council-appointed boards and commissions that provide Midland City Council with valuable information involving most aspects of our community, from Aviation to Zoning. Some of these boards and commissions members have been appointed to terms that will expire on June 30, 2015.

In the past, Council has followed a two-step process for filling boards and commissions vacancies. In the first step, Council considers reappointing those members with expiring terms who have expressed an interest in continuing to serve on their current board or commission. Staff liaisons have contacted the incumbents to determine their interest in being reappointed. The names of those incumbents wishing to be reappointed are attached for Council's consideration.

Once reappointments are determined, the second step of the process is to advertise the remaining vacancies and for Council to appoint new members based on the applications received and interviews conducted.

Two (2) vacancies will exist due to incumbents who have expressed a desire to not be reappointed. In addition, there are (4) outstanding vacancies that need to be filled. This list is also attached.

Attached is a resolution that authorizes the City Council to reappoint incumbents to various boards and commissions and allow staff to begin disseminating information regarding boards and commissions vacancies.

Please contact me if you have any questions.

Sincerely,

Libby Richart
Communications Coordinator
(989) 837-3307

City of Midland
Boards & Commissions
2015 Appointment Process & Timeline

March 23	City Council considers reappointing incumbents.
March 24	City begins publicizing boards and commissions' vacancies and accepting applications from citizens interested in being appointed to a board or commission.
April 24	Application deadline, 5 p.m.
May / June	Council conducts applicant interviews and makes appointments.
June 30	Terms end.
July 1	New terms begin.

CITY OF MIDLAND BOARDS & COMMISSIONS

Terms Expiring – June 30, 2015

Listed below are members with terms expiring June 30 (except where noted) and their length of service. YES and NO indicates the member's interest in being reappointed.

Aviation Advisory Commission – staff liaison Brian McManus

YES Richard Siemer – first appointed July 2005 (Citizen at Large)
YES Ray Senesac – first appointed July 2009 (Citizen at Large)
YES Matt Janson – first appointed January 2005 (Pilot Rep.)

Board of Review (terms expire April 30) – staff liaison Reid Duford

YES Carl Coons – first appointed June 2010

Dial-A-Ride Advisory Commission – staff liaison Karen Murphy

YES Mary Laforet – first appointed September 2004 (Rep. with Disability)
YES Donna Swain – first appointed June 2000 (Citizen at Large)

International Fire Code Board of Appeals – staff liaison Chris Coughlin

YES Keith Wirth – first appointed November 2013 (Code Professional)

Library Board – staff liaison Melissa Barnard

YES Debbie Hayes – first appointed June 2013 (Citizen at Large)
YES Sarah Galt – first appointed June 2006 (Citizen at Large)

MBS International Airport Commission – staff liaison Jon Lynch

NO Paula Tolliver – first appointed October 2013

Parks & Recreation Commission – staff liaison Karen Murphy

YES Neil Rankin – first appointed August 2012 (Citizen at Large)
YES Marcia Steidemann – first appointed June 2009 (Citizen at Large)
NO Frank Altimore – first appointed June 2006 (Citizen at Large)

Planning Commission – staff liaison Brad Kaye

YES Roger Mead – first appointed May 2003 (Citizen at Large)
YES Shawn Pnacek – first appointed June 2009 (Citizen at Large)
YES Dave Heying – first appointed September 2011 (Citizen at Large)

Sewer District Board of Appeals – staff liaison Noel Bush

YES Patrick Sandow – first appointed June 2000 (Citizen at Large)

West Main Street Historic District Commission – staff liaison Brad Kaye

YES Edward Saunders – first appointed July 2009 (Citizen at Large)

Zoning Board of Appeals – staff liaison Brad Kaye

YES Daryl Poprave – first appointed July 2014 (Citizen at Large)

YES Roy Green – first appointed June 2005 (Citizen at Large)

OUTSTANDING VACANCIES

Cable Access Advisory Commission

MCTV Access User position – Cathy Nelson Price resigned December 15, 2014 – term to expire June 30, 2018

Local Officers Compensation Commission

Citizen at Large position – William Doug Thompson resigning effective March 31, 2015 – remainder of seven-year term to expire June 30, 2018

Planning Commission

Citizen at Large position – Bruce Borden resigned February 16, 2015 – remainder of three-year term to expire June 30, 2017

West Main Street Historic District Commission

Historic Society representative position – vacant term to expire June 30, 2018



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BY COUNCILMAN

WHEREAS, City staff has contacted all boards and commissions members whose terms expire June 30, 2015, to confirm their interest in being reappointed and has provided City Council with said information; now therefore

RESOLVED, that the City Council hereby reappoints the following incumbents to the following boards and commissions effective July 1, 2015 for three (3) year terms ending June 30, 2018:

Richard Siemer, Aviation Advisory Commission, Citizen at Large
Ray Senesac, Aviation Advisory Commission, Citizen at Large
Matt Janson, Aviation Advisory Commission, Pilot Representative
Mary Laforet, Dial-A-Ride Advisory Commission, Representative with Disability
Donna Swain, Dial-A-Ride Advisory Commission, Citizen at Large
Keith Wirth, International Fire Code Board of Appeals, Code Professional
Debbie Hayes, Library Board, Citizen at Large
Sarah Galt, Library Board, Citizen at Large
Neil Rankin, Parks & Recreation Commission, Citizen at Large
Marcia Steidemann, Parks & Recreation Commission, Citizen at Large
Roger Mead, Planning Commission, Citizen at Large
Shawn Pnacek, Planning Commission, Citizen at Large
Dave Heying, Planning Commission, Citizen at Large
Patrick Sandow, Sewer District Board of Appeals, Citizen at Large
Edward Saunders, West Main Street Historic District Commission, Citizen at Large
Daryl Poprave, Zoning Board of Appeals, Citizen at Large
Roy Green, Zoning Board of Appeals, Citizen at Large; and

RESOLVED FURTHER, that City Council hereby reappoints Carl Coons, Board of Review, for a Citizen at Large term beginning May 1, 2015 and ending April 30, 2018; and

RESOLVED FURTHER, that City staff is directed to begin disseminating information regarding the remaining boards and commissions vacancies.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, March 23, 2015.

Selina Tisdale, City Clerk

Attached documents for item * Referring request to vacate Sauve Street to the Planning Commission, the City Engineer, and other city departments for their report and recommendation.
KAYE

**SUMMARY REPORT TO CITY MANAGER
for City Council Meeting of 3-23-15**

SUBJECT: Request for the Vacation of Sauve Street.

PETITIONER: Bierlein Investment LLC

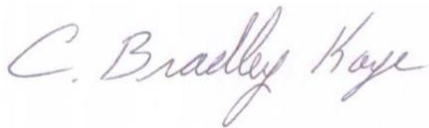
SUMMARY: THIS RESOLUTION REFERS THE REQUEST TO VACATE SAUVE STREET TO THE PLANNING COMMISSION, THE CITY ENGINEER, AND OTHER CITY DEPARTMENTS FOR THEIR REPORT AND RECOMMENDATION.

ITEMS ATTACHED:

1. Letter to City Manager.
2. Resolution for City Council action.
3. Request from Bierlein Investment LLC.
4. Map of area.

CITY COUNCIL ACTION:

1. Public hearing is not required.
2. 3/5 vote required to approve resolution.



C. Bradley Kaye, AICP, CFM
Director of Planning & Community Development

CBK/djm

3-18-15



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March 18, 2015

Jon Lynch, City Manager
City Hall - 333 West Ellsworth Street
Midland, Michigan

Dear Mr. Lynch:

Bierlein Investment LLC has submitted a petition for vacation of Sauve Street. This request covers all of Sauve Street, from Bay City Road south to the end of the street. A portion of Sauve Street, together with Corning Lane, was previously closed and conveyed to Titan Equipment.

Section 23-87 of the Midland Subdivision Ordinance provides for the vacation of public property by the City Council as follows:

When the City Council shall deem it advisable to vacate, discontinue, or abolish any street, alley, public ground, or any part thereof in a subdivision, or upon petition received by the City Clerk requesting such vacation, discontinuance or abolition, and containing the names of the petitioner, his address, a description of the property proposed to be vacated, and the reasons therefore, together with the names of all owners of property abutting on that property proposed to be vacated, or whose access to their property would be prohibited thereby, the Council shall:

- (1) Adopt a resolution referring the matter to the Planning Commission, the City Engineer, and other City departments, as appropriate, for their report and recommendation.
- (2) Upon receipt of the recommendations, declare, by resolution, the intent to take such action as they may deem advisable and, in the same resolution, shall appoint a time not less than four (4) weeks thereafter when they will meet and hear objections thereto.
- (3) Cause a notice of hearing with a copy of the resolution to be published once each week for not less than three (3) weeks before the time appointed for such meeting in a newspaper of general circulation in the City, and cause a copy of such notice and resolution to be sent by certified mail to each owner of property abutting the property proposed to be vacated, or whose access to their property would be prohibited thereby.
- (4) Receive objections to such proposed action either orally at such hearing or in writing filed with the City Clerk prior thereto.

- (5) Either at the same meeting at which such hearing is held, or at any subsequent meeting, adopts a resolution vacating, abolishing, or discontinuing such property, or any portion thereof, on any such conditions as they may deem advisable, or refuse to take such action. Upon receipt of any objections to such proposed action either orally at such meeting or in writing prior thereto, the street, alley, or other public ground or any part thereof shall not be vacated, abolished or discontinued except by concurring vote of four fifths (4/5) of the Councilmen elect. Before any petition seeking vacation of public grounds, or any portion thereof, shall be received by the City Clerk, it must be accompanied by the fee prescribed in Chapter 21 of this code to defray the costs of administration and publication.

A resolution directing the petition to the Planning Commission, Engineering Department, and other departments as determined by the City Manager is attached for your consideration.

Respectfully,

A handwritten signature in blue ink that reads "C. Bradley Kaye". The signature is written in a cursive, flowing style.

C. Bradley Kaye, AICP, CFM
Director of Planning & Community Development

LETTER OF TRANSMITTAL – Street Vacation Sauve Street



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.midland-mi.org

BY COUNCILMAN

WHEREAS, Bierlein Investment LLC has requested vacation of Sauve Street; and

WHEREAS, such vacation must be done in accord with Section 23-87 of the Code of Ordinances; now therefore

RESOLVED, that in accord with Section 23-87 of the Code of Ordinances, the request to vacate Sauve Street is hereby referred to the Planning Commission, the City Engineer and other City departments as determined by the City Manager, for their report and recommendation.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, March 23, 2015.

Selina Tisdale, City Clerk

BIERLEIN



March 11, 2015

Mr. Bradley Kaye
Director of Planning and Community Development
City of Midland
333 W. Ellsworth Street
Midland, MI 48640

Re: Petition to Close and Convey Sauve Street

Dear Mr. Kaye,

We hereby request the closure of Sauve Street and conveyance to one or more of the adjacent property owners.

It presently serves a single residential house and parcel on the east side (328 Sauve) that we own. At a future date the house will be demolished and the parcel incorporated into our existing parcel on that same east side. The street no longer serves its purpose as a road; however, the adjacent property owner(s) would maintain the road as a private driveway to the house at 328 Sauve Street, until that future date. The existing utilities, and its related City easement, would be maintained as required by the City, by the subsequent property owner(s).

The conveyance of the street would allow us, Bierlein Companies, to expand our existing building on the east side, which currently cannot be done due to the property line setback requirement of the current street.

Thank you for your consideration. We remain available for any additional information you may need.

Sincerely,

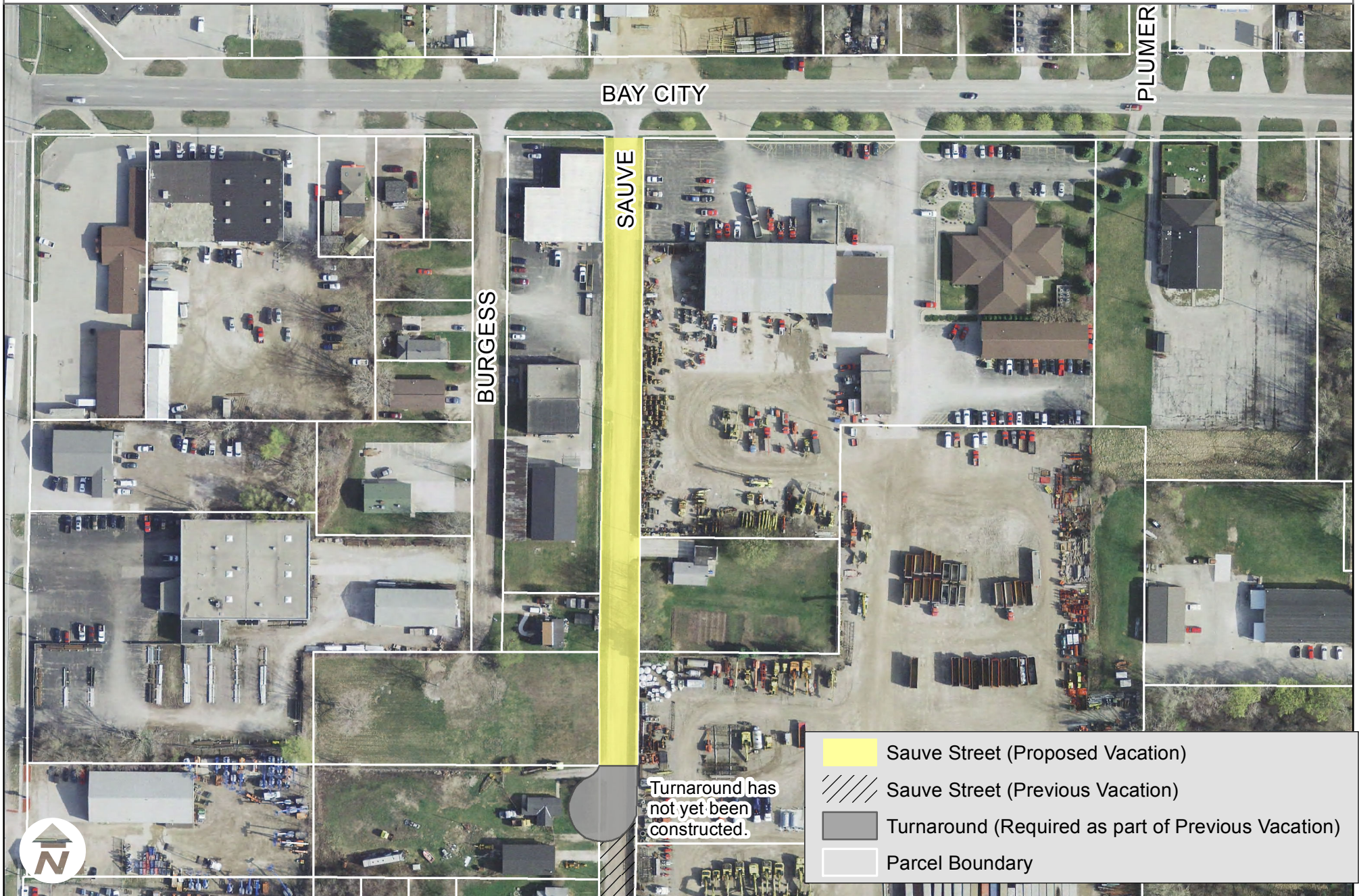
Bierlein Investment, LLC

Mike Bierlein
President



Proposed Street Vacation

Sauve Street



Attached documents for item * Payment to Andrew Reed & Associates, Inc. for contracted appraisal services relating to the City's defense in the Max Era, Inc. tax appeal to the Michigan Tax Tribunal. BRANSON

SUMMARY REPORT TO MANAGER
for City Council Meeting of March 23, 2015

SUBJECT: Approval of payment for contracted appraisal services.

INITIATED BY: City Attorney

RESOLUTION SUMMARY: This resolution authorizes payment to Andrew Reed & Associates, Inc. for contracted appraisal services relating to the City's defense in the Max Era, Inc. tax appeal to the Michigan Tax Tribunal.

ITEMS ATTACHED:

1. Letter of Transmittal.
2. Resolution.

COUNCIL ACTION:

1. 3/5 vote required to approve.

James O. Branson III
City Attorney



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March 19, 2015

Jon Lynch
City Manager
City of Midland
Midland, Michigan 48640

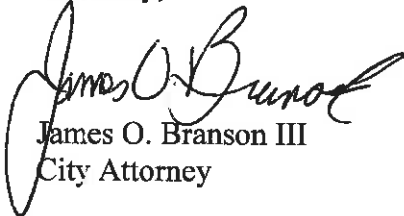
Dear Mr. Lynch:

Max Era, Inc. has appealed the assessment of real property, commonly known as Evergreen Solar, for the 2012 and 2013 tax years with the Michigan Tax Tribunal. The appraisal firm of Andrew Reed & Associates, Inc. has been retained in assisting the City in this appeal.

The resolution for your consideration increases the amount authorized to the appraisal firm of Andrew Reed & Associates, Inc. for its assistance in this matter to an amount not to exceed \$40,000.00. Budgetary funding for this expenditure is included in the 2014-2015 Appraisal Fees budget for general tax appeal cases.

Please feel free to contact my office if you should have any questions or comments.

Sincerely,



James O. Branson III
City Attorney

JOB/lak



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BY COUNCILMAN

WHEREAS, Max Era, Inc. has appealed the assessment of real property, commonly known as Evergreen Solar, for the 2012 and 2013 tax years with the Michigan Tax Tribunal; and

WHEREAS, the appraisal firm of Andrew Reed & Associates, Inc. has been retained in assisting the City of Midland in its defense of this appeal; and

WHEREAS, on September 22, 2014 City Council authorized payments to Andrew Reed & Associates, Inc. for the aforementioned services in a total amount not to exceed \$30,000; and

WHEREAS, the cost of said services is expected to exceed \$20,000 and, therefore, approval of the City Council is required under Section 2-18 of the Code of Ordinances; and

WHEREAS, sufficient budgetary funding exists within the 2014-2015 Appraisal Fees budget for general tax appeal cases; now therefore

RESOLVED, that the above-referenced services are hereby determined to be professional services within the meaning of Section 2-19 of the Code of Ordinances and do not require sealed proposals; and

RESOLVED FURTHER, that authorization for payment to the appraisal firm of Andrew Reed & Associates, Inc. for their assistance in connection with the aforementioned appeal is hereby authorized in an amount not to exceed \$40,000.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all of the Councilmen present at a regular meeting of the City Council held on Monday, March 23, 2015.

Selina Tisdale, City Clerk

Attached documents for item * Payment to Braun, Kendrick, Finkbeiner, P.L.C. for contracted legal services relating to the City's defense in the Larkin Charter Township complaint filed with the 42nd Circuit Court for the County of Midland. BRANSON

SUMMARY REPORT TO MANAGER
for City Council Meeting of March 23, 2015

SUBJECT: Approval of payment for contracted legal services.

INITIATED BY: City Attorney

RESOLUTION SUMMARY: This resolution authorizes payment to Braun, Kendrick, Finkbeiner, P.L.C. for contracted legal services relating to the City's defense in the Larkin Charter Township complaint filed with the 42nd Circuit Court for the County of Midland.

ITEMS ATTACHED:

1. Letter of Transmittal.
2. Resolution.

COUNCIL ACTION:

1. 3/5 vote required to approve.

James O. Branson III
City Attorney



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March 19, 2015

Jon Lynch
City Manager
City of Midland
Midland, Michigan 48640

Dear Mr. Lynch:

In August 2014 Larkin Charter Township filed a complaint under a declaratory action against the City of Midland in the 42nd Circuit Court for the County of Midland in connection with the Urban Cooperation Act Agreement entered into between the two municipalities in June 1991. The law firm of Braun, Kendrick, Finkbeiner, P.L.C. has been retained in assisting the City in its defense of this lawsuit.

The resolution for your consideration increases the amount authorized to the law firm of Braun, Kendrick, Finkbeiner, P.L.C. for its legal assistance in this matter to an amount not to exceed \$60,000.00. Budgetary funding for this expenditure is included in the 2014-2015 Legal Fees budget for the City Attorney's Office.

Please feel free to contact my office if you should have any questions or comments.

Sincerely,

James O. Branson III
City Attorney

JOB/lak



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BY COUNCILMAN

WHEREAS, Larkin Charter Township filed a complaint under a declaratory action against the City of Midland in the 42nd Circuit Court for the County of Midland; and

WHEREAS, the law firm of Braun, Kendrick, Finkbeiner, P.L.C. has been retained in assisting the City of Midland in its legal defense of this lawsuit; and

WHEREAS, the cost of said services is expected to exceed \$20,000 and, therefore, approval of the City Council is required under Section 2-18 of the Code of Ordinances; and

WHEREAS, sufficient budgetary funding exists within the 2014-2015 Legal Fees budget for the City Attorney's Office; now therefore

RESOLVED, that the above-referenced services are hereby determined to be professional services within the meaning of Section 2-19 of the Code of Ordinances and do not require sealed proposals; and

RESOLVED FURTHER, that authorization for payment to the legal firm of Braun, Kendrick, Finkbeiner, P.L.C. for their assistance in connection with the aforementioned lawsuit is hereby authorized in an amount not to exceed \$60,000.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all of the Councilmen present at a regular meeting of the City Council held on Monday, March 23, 2015.

Selina Tisdale, City Clerk

Attached documents for item * Two Domestic Water Boilers and two Tanks - Riverside Place.
KAYE

**SUMMARY REPORT TO CITY MANAGER
for City Council Meeting of 03-23-15**

SUBJECT: Purchase of Two Domestic Water Boilers and Tanks for Riverside Place

RESOLUTION SUMMARY: THIS RESOLUTION AUTHORIZES A PURCHASE ORDER TO J & D PLUMBING FOR \$42,416.00 FOR THE PURCHASE OF TWO DOMESTIC WATER BOILERS AND TANKS FOR RIVERSIDE PLACE.

ITEMS ATTACHED:

1. Transmittal Letter to City Manager
2. Summary of Bid Proposals
3. Resolution for City Council action

CITY COUNCIL ACTION:

1. Public hearing is not required.
2. 3/5 vote required to approve resolution.



C. Bradley Kaye, AICP, CFM
Director of Planning & Community Development

ks



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March 16, 2015

Jon Lynch, City Manager
City Hall – 333 West Ellsworth Street
Midland, Michigan

Dear Mr. Lynch:

On February 24, 2015, sealed proposals were publicly opened and read by the City Purchasing Agent for Bid No. 3688 for upgraded domestic water boilers and tanks at Riverside Place. Proposals were sought to upgrade the boilers and tanks following an assessment of the current system and a determination that the serviceable life of the system had been reached. Unlike hot water systems typically found in personal residences, this boiler and storage tank system requires advanced ordering of up to 8 weeks. Waiting for the system to fail before initiating replacement is not an option as the residents of Riverside Place would be without domestic hot water for this extended period of time.

Five bids were received in response to the City invitation. Based upon the received bids, it has been determined that J & D Plumbing is able to provide Riverside Place with two (2) Lochinvar #PFN0752PM boilers along with two (2) Lochinvar #RJA175 glass liner tanks for \$42,416.00. This bid price includes removal of all existing equipment and installation of the new products. The J & D Plumbing bid is the low bid received for this specification. Staff has met with J & D Plumbing to review the bid in detail and are satisfied with the content of J & D Plumbing's bid and their plan for replacement of the current units.

Funds for this purchase were planned and approved for use in fiscal year 2014/15 from the Riverside Place capital fund in the amount of \$40,000.00. Additional funding of \$2,416.00 from the repair and maintenance fund is available to cover additional expenditures necessary for this project. Authorization of additional funds in the amount of \$4,000 is also requested should any unexpected installation costs arise.

Based on the bids received, it is recommended that City Council accept the proposal submitted by J & D Plumbing for the purchase of two (2) boilers and two (2) tanks for Riverside Place domestic hot water.

Respectfully,

C. Bradley Kaye, AICP, CFM
Director of Planning and Community Development

ks

CITY OF MIDLAND
 BID NO 3688
 BOILER REPLACEMENT
 February 24, 2015

DESCRIPTION	J & D PLUMBING SANFORD MI	J E JOHNSON MIDLAND MI	T H EIFERT LANSING MI	THREE RIVERS MIDLAND MI	INTERNATIONAL MECHANICS HOWELL MI
2 - Lochinvar #PFN0752PM	\$22,800.00	\$62,347.00	\$44,200.00	\$44,340.00	\$52,110.00
2 - Lochinvar #RJA175	\$19,616.00		\$27,800.00	\$12,312.00	\$20,343.00



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BY COUNCILMAN

WHEREAS, the domestic water boilers at Riverside Place have been assessed and determined to be in need of replacement to ensure the provision of safe and convenient domestic water to the residents of Riverside Place; and

WHEREAS, sealed proposals were advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for domestic water boiler replacements and upgrades at Riverside Place, Bid No. 3688; and

WHEREAS, sufficient funds are included in account 537.9120.97.020, Capital and account 537.8110.93.015, Repairs and Building Maintenance Equipment; now therefore

RESOLVED, that the proposal meeting City specifications submitted by J & D Plumbing of Sanford, Michigan for upgrading the domestic hot water boilers and tanks at the unit price contained in their Response for Bid No. 3688 is hereby accepted; and

RESOLVED FURTHER, that the City Purchasing Agent is authorized to issue a purchase order for \$42,416.00 in accord with this resolution and City specifications; and

RESOLVED FURTHER, that the City Manager is authorized to execute any associated documents in accordance with the proposal and City of Midland specifications once prepared by and/or approved by the City Attorney; and

RESOLVED FURTHER, that the City Manager has the authority to approve change orders modifying or altering this contract in an aggregate amount not to exceed \$4,000.00.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, March 23, 2015.

Selina Tisdale, City Clerk

Attached documents for item * 2015 E. Wackerly Street Resurfacing; Contract No. 3.
MCMANUS

SUMMARY REPORT TO THE CITY MANAGER

for Council Meeting of March 23, 2015

SUBJECT: 2015 E. Wackerly Street Resurfacing; Contract No. 3

INITIATED BY: City of Midland Engineering Department

RESOLUTION SUMMARY: This resolution authorizes the Mayor and City Clerk to execute a contract with Central Asphalt, Inc. in the amount of \$395,315.00 for reconstruction and resurfacing of E. Wackerly Street from Jefferson Avenue to Swede Avenue.

ITEMS ATTACHED: 1. Cover Letter
2. Resolution
3. Location Map

CITY COUNCIL ACTION: 3/5 vote required to approve resolution

SUBMITTED BY: Brian P. McManus, City Engineer



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March 18, 2015

Jon Lynch, City Manager
City of Midland, Michigan

Dear Mr. Lynch:

On Tuesday, March 17, 2015 at 2:00 p.m., sealed proposals were publicly opened and read by the Purchasing Agent for the "2015 E. Wackerly Street Resurfacing; Contract No. 3."

There were 5 individuals attending the opening representing vendors, contractors and the City. City staff members present were Mike Meyer, Jeff Murphy and Karen Murphy.

Bids were received as follows:

Central Asphalt Inc.	Mt. Pleasant	\$395,315.00
Pyramid Paving Company	Bay City	417,022.50
Ace-Saginaw Paving Company	Carrollton	419,737.00
*Engineers Estimate		513,011.25

Funding for this project is provided by the Major Street Fund. This contract is for resurfacing of E. Wackerly Street from Jefferson Avenue to Swede Avenue. This street was recommended by the Engineering Department and the Department of Public Services and approved by City Council during the annual Construction Project Priorities process.

It is our recommendation that the low bid of \$395,315.00 submitted by Central Asphalt, Inc. of Mt. Pleasant, Michigan be accepted in the best interest of the City of Midland.

Respectfully submitted,

Brian P. McManus, City Engineer

Mike Meyer, Purchasing Agent



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BY COUNCILMAN

WHEREAS, sealed proposals have been advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for resurfacing of E. Wackerly Street from Jefferson Avenue to Swede Avenue; and

WHEREAS, funding for this project is provided by the Major Street Fund; now therefore

RESOLVED, that the low sealed proposal submitted by Central Asphalt, Inc. of Mt. Pleasant, Michigan, for the "2015 E. Wackerly Street Resurfacing; Contract No. 3", in the indicated amount of \$395,315.00, based upon City estimated quantities is hereby accepted and the Mayor and the City Clerk are authorized to execute a contract therefore in accord with the proposal and the City's specifications; and

RESOLVED FURTHER, that the City Manager has the authority to approve change orders modifying or altering this contract in an aggregate amount not to exceed \$20,000.

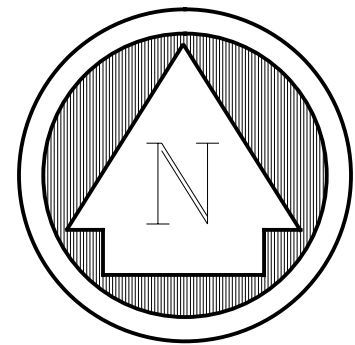
YEAS:

NAYS:

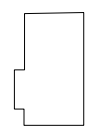
ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, March 23, 2015.

Selina Tisdale, City Clerk



SOCCER DRIVE



WACKERLY

WACKERLY LN

CAMELOT

EDGE

WACKERLY

JEFFERSON

ELLIOTT

NATHAN CT

COUNTRY WALK CIR.

PEACHTREE CIR

WHIFFLETREE LN

SHIREWOOD CIR

SCENIC CIR.

TURNING BUSH LN

SCENIC STILLWATER LN

LD FLOWER ANE

CIR.

INVERNESS

TENNIS

WIMBLEDON

CHapel DR LANE

CIR.

HONEYSUCKLE

CIR.

PASS

COURTSIDE

WOODVIEW

FOXWOOD

MONTAGUE

TIMBER DR

EVART

WILDWOOD ST

WHITEHALL ST

EVERGREEN ST

SWEDE

2015 E. WACKERLY STREET RESURFACING:
CONTRACT NO. 3

Attached documents for item * Park Mowing Services. MURPHY

SUMMARY REPORT TO MANAGER
For City Council Meeting of March 23, 2015

SUBJECT: Park Mowing Services

INITIATED BY: Department of Public Services

RESOLUTION SUMMARY: This resolution authorizes a purchase order to Lawns and Mower LLC of Midland, MI in the amount of \$11,000 for the remainder of fiscal year 2014-15 for park mowing services, and an additional purchase order in the amount of \$27,500 for the months of July through November, 2015 provided that funds are appropriated in the fiscal year 2015-16 budget.

ITEMS ATTACHED:

1. Letter of Transmittal
2. Resolution

CITY COUNCIL ACTION:

1. 3/5 vote required to pass resolution

Karen Murphy
Director of Public Services

MMR



Department of Public Services ♦ 4811 North Saginaw Road ♦ Midland, Michigan 48640 ♦ 989.837.6900 ♦ 989.835.5651 Fax ♦ www.cityofmidlandmi.gov

March 18, 2015

Jon Lynch
City Manager
Midland, MI

RE: Purchase of Mowing Services

On Tuesday, February 25, 2014, sealed proposals were publicly opened and read by the City Purchasing Agent for Bid No. 3604 “Annual Park Mowing Services”.

The park mowing services provided under the bid are for various park areas which, because of size, location and other obstacles, can be mowed more economically by a contractor than City staff. The bid was for one season with an option to extend the bid for an additional two years if staff is satisfied with the services provided by the selected contractor. Bids were received as follows:

Mowing of Specified 107 Acres of Park Areas	Amount
Lawns & Mower LLC, Midland, MI	\$38,500
Maple Hill, Midland, MI	\$41,230
Transcendent Property Mgt, Midland, MI	\$64,000
Kaufman Lawn, Midland, MI	\$64,137
Great Lakes Hydro, Bay City, MI	\$78,300

The low bidder was Lawns and Mower LLC of Midland, MI for a lump sum amount of \$38,500. This vendor has provided this service to the City for the past four seasons and staff has been pleased with both the results of their mowing and the customer service provided. Lawns & Mower has agreed to honor their price again for the 2015 season.

We therefore recommend that City Council accept the offer by Lawns & Mower LLC of Midland, Michigan to maintain their price for another season and authorize the purchasing agent to issue purchase orders to Lawns & Mower LLC totaling \$38,500 for the 2015 mowing season.

Respectfully submitted,

Karen Murphy
Director of Public Services

MMR

Mike Meyer
Purchasing Agent



Department of Public Services ♦ 4811 North Saginaw Road ♦ Midland, Michigan 48640 ♦ 989.837.6900 ♦ 989.835.5651 Fax ♦ www.cityofmidlandmi.gov

BY COUNCILMAN

WHEREAS, sealed proposals were advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for furnishing mowing services for various park properties within the City of Midland; and

WHEREAS, the bid period covered a one year period with an option to extend the bid for an additional two years if staff was satisfied with the results, and sufficient funds are available; and

WHEREAS, staff was satisfied with the service provided for the first year (2014 season) and the vendor has agreed to extend the bid for the 2015 season; now therefore

RESOLVED, that the Purchasing Agent is hereby authorized to issue a purchase order to Lawns and Mower LLC of Midland, MI in the amount of \$11,000 for the purchase of park mowing services for the remainder of fiscal year 2014-15; and

RESOLVED FURTHER, that the purchasing agent is authorized to issue a purchase order in the amount of \$27,500 for the months of July through November 2015, provided that funds are appropriated in the fiscal year 2015-16 parks budget.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, March 23, 2015.

Selina Tisdale, City Clerk

Attached documents for item * E10 Ethanol Blend Unleaded Fuel purchase from March 3. (4/5 vote required). MURPHY

SUMMARY REPORT TO MANAGER
For City Council Meeting of March 23, 2015

SUBJECT: Approve Fuel Purchase from March 3, 2015

RESOLUTION SUMMARY: This resolution waives the requirement for sealed proposals and approves the purchase of 12,495 gallons of E10 ethanol blend unleaded fuel from Foster Oil for \$20,605.50 that was executed by the Purchasing Agent on March 3, 2015.

ITEMS ATTACHED:

1. Transmittal letter to City Manager
2. Resolution

CITY COUNCIL ACTION:

1. 4/5 vote required to approve resolution

Karen Murphy
Director of Public Services

MMR



Department of Public Services ♦ 4811 North Saginaw Road ♦ Midland, Michigan 48640 ♦ 989.837.6900 ♦ 989.835.5651 Fax ♦ www.cityofmidlandmi.gov

March 18, 2015

Jon Lynch
City Manager
Midland, Michigan

RE: Approve fuel purchase made on March 3, 2015

At their December 17, 2007 meeting, City Council adopted a resolution that allows the Purchasing Agent to purchase full tankers of unleaded gasoline and diesel fuel exceeding \$20,000, and seek approval for the purchase at the next available Council meeting. Fuel is ordered on an as needed basis to maintain an adequate supply to meet the demand of the city fleet as well as to keep a reserve on hand to cover any unanticipated increase in usage. This process was reviewed by City Council on December 21, 2009 and is still deemed to provide significant cost savings to the City.

Fuel is purchased through a competitive bid process whereby the Purchasing Agent faxes out a request for a price per gallon for unleaded and/or diesel fuel to a list of fuel suppliers. Interested suppliers fax back their prices the following morning. Due to the volatility of the fuel market, pricing is only valid for the remainder of that day. The fuel purchase is awarded to the lowest price supplier, and the fuel delivery is scheduled for that same day.

It should be noted that approval of fuel purchases will require a 4/5 vote due to the need to waive the requirement for sealed proposals as a result of the above-described bidding process.

Bids were received using this process on March 3, 2015 for 12,495 gallons of E10 ethanol blend unleaded fuel. Bids were received as follows:

Foster Oil, Richmond, MI	E10 Ethanol Blend Unleaded Fuel	\$1.6491/gallon
Paxson Oil, Saginaw, MI	E10 Ethanol Blend Unleaded Fuel	\$1.6737/gallon
Michigan Petroleum, Port Huron, MI	E10 Ethanol Blend Unleaded Fuel	\$1.7040/gallon
Hirschman Oil, Reese, MI	E10 Ethanol Blend Unleaded Fuel	\$1.7400/gallon

The low bid was received from Foster Oil of Richmond, Michigan, with a price of \$1.6491 per gallon. The unit price includes the delivery charge, and the total purchase price was \$20,650.50 for 12,495 gallons of fuel delivered.

We are requesting that Council waive the requirements for sealed bids, and approve the purchase of 12,495 gallons of E10 ethanol blend unleaded fuel from Foster Oil for \$20,605.50 that was executed by the Purchasing Agent on March 3, 2015.

Respectfully submitted,

Karen Murphy
Director of Public Services

MMR

Mike Meyer
Purchasing Agent



Department of Public Services ♦ 4811 North Saginaw Road ♦ Midland, Michigan 48640 ♦ 989.837.6900 ♦ 989.835.5651 Fax ♦ www.cityofmidlandmi.gov

BY COUNCILMAN

WHEREAS, City Council adopted a resolution on December 17, 2007 that allows the Purchasing Agent to purchase full tankers of unleaded gasoline and diesel fuel exceeding \$20,000, and seek approval for the purchase at the next City Council meeting; and

WHEREAS, City Council reviewed the process on December 21, 2009 and decided to continue as it still provides a significant cost savings to the City; and

WHEREAS, the volatility of the fuel market does not allow for staff to follow the usual sealed bid process for purchases exceeding \$20,000; and

WHEREAS, staff instead uses a competitive bid process whereby fuel vendors fax in prices that are valid for a particular day with the bid awarded to the lowest priced vendor; now therefore

RESOLVED, that the requirements for sealed proposals for the purchase of fuel are waived due to the volatility of the fuel market; and

RESOLVED FURTHER, that the purchase of 12,495 gallons of E10 ethanol blend unleaded fuel from Foster Oil of Richmond, Michigan for \$20,605.50 executed by the Purchasing Agent on March 3, 2015, is hereby approved.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, March 23, 2015.

Selina Tisdale, City Clerk

Attached documents for item * Park Pavilion Roof replacements. MURPHY

SUMMARY REPORT TO CITY MANAGER

For City Council Meeting of March 23, 2015

SUBJECT: Park pavilion roof replacements

INITIATED BY: Department of Public Services – Parks and Recreation

RESOLUTION SUMMARY: This resolution authorizes the Purchasing Agent to issue a purchase order in the amount of \$24,100 to B & B Builders of Midland, Michigan for replacement of six park pavilion roofs in accordance with the proposal and City specifications. The resolution also authorizes the City Manager to approve change orders up to \$5,000 for the project.

ITEMS ATTACHED:

1. Letter of Transmittal
2. Resolution

CITY COUNCIL ACTION:

1. 3/5 vote required to approve resolution

Karen Murphy
Director of Public Services



March 17, 2015

Jon Lynch
City Manager
Midland, Michigan

RE: Park pavilion roof replacements

In 2013, the parks senior utility crew did a thorough evaluation of all the park pavilions throughout the City and created a prioritized maintenance program. The most prevalent need at this time is re-roofing of six structures. Funding is available in the Parks Major Maintenance budget for this work. The pavilions that will be included in this project are as follows: Chippewassee Park pavilion, Dow A/B pavilion, Emerson C and D pavilions, Stratford Woods pavilion and Stratford Woods bathhouse.

Proposals were publicly opened and read by the City Purchasing Agent for Bid No. 3690 on March 17, 2015. Bids were received as follows:

Bidder	Total Bid
B & B Builders, Midland, MI	\$24,100
Gerald G. Bergman, Inc., Saginaw, MI	\$25,999
Roy E. Woods, Freeland, MI	\$29,750
Sajdak Contractor, Prudenville, MI	\$30,125
Boyle Constructors, Inc., Bay City, MI	\$31,403
Kawkawlin Roofing Co., Kawkawlin, MI	\$31,783
Tri-City Remodeling, Midland, MI	\$32,046
Dakota Builders, LLC, Midland, MI	\$34,950
Valley Roofing Co., Inc., Bay City, MI	\$35,213
Brandle Roofing, Midland, MI	\$41,565

Given the nature of re-roofing work, the park supervisors are anticipating that there will be additional work needed once the existing shingles are removed as there will likely be some rotted roof boards and/or soffits that will need to be replaced. Each roof will be inspected by the parks supervisor after the old shingles are stripped off to determine if roof decking boards or soffit components will need to be replaced prior to the new roofing materials being installed. Therefore, we anticipate additional time and material costs will be needed over the course of the project to cover these repairs, and this was clearly stated in the bid specifications as well.

Jon Lynch
March 23, 2015
Page 2

The low bid submitted by B & B Builders of Midland, Michigan meets all bid specifications. One of the parks supervisors has prior experience working with this contractor on a non-City project, and he was satisfied with their work.

Therefore, we are recommending that the bid submitted by B & B Builders of Midland, Michigan for replacement of six park pavilion roofs be accepted and the Purchasing Agent be authorized to issue a purchase order in the amount of \$24,100. We further recommend that the City Manager be authorized to approve change orders up to \$5,000 for the project to cover the unforeseen issues that we anticipate will arise during the project.

Respectfully Submitted,

Karen Murphy
Director of Public Services

Mike Meyer
Purchasing Agent



Parks and Recreation ♦ 4811 North Saginaw Road ♦ Midland, Michigan 48640 ♦ 989.837.6930 ♦ 989.835.5651 Fax ♦ www.cityofmidlandmi.gov

BY COUNCILMAN

WHEREAS, sealed proposals were advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for park pavilion roof replacements, Bid No. 3690; and

WHEREAS, the FY 2014-15 General Fund budget has adequate funds in the Parks Major Maintenance account to cover the cost of the project; now therefore

RESOLVED, that the bid meeting City specifications submitted by B & B Builders of Midland, Michigan for six park pavilion roof replacements is hereby accepted; and

RESOLVED FURTHER, that the City Purchasing Agent is authorized to issue a purchase order to B & B Builders in the amount of \$24,100 in accord with this resolution, the proposal selected and City specifications; and

RESOLVED FURTHER, that the City Manager is authorized to approve change orders up to \$5,000 for the project.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, March 23, 2015.

Selina Tisdale, City Clerk